



TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/532,393
		Filing Date	April 21, 2005
		First Named Inventor	Markus BECKER
		Art Unit	
		Examiner Name	To be assigned
Total Number of Pages in This Submission	130	Attorney Docket Number	6097P063

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> -Petition 37 CFR 1.47(a) (2 pgs); -Declaration of Atty (5 pgs); -Declaration/POA (3 pgs); -Copies of email correspondence (12 pgs); -Copies of internet search docs (77 pgs); -Copy of letter and other docs to inventor (29 pgs); -Return postcard (1) </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael J. Mallie, Reg. No. 36,591 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 17, 2007

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Joyce Klein		
Signature		Date	October 17, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Markus Becker et al)	
)	
Serial No.: 10/532,393)	Examiner: Unassigned
)	
Filed: 04/21/2005)	Art Unit: Unassigned
)	
For: BEARING HOUSING)	Confirmation No.: 1587
)	

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Office of PCT Legal Administration
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Alexandria, VA 22313-1450

RENEWED PETITION FOR FILING BY OTHER THAN ALL THE INVENTORS

Under 37 C.F.R. § 1.47(a)

Dear Sir:

In response to the Notice to Decision on Applicant's petition under 37 C.F.R. § 1.47(a), filed on June 7, 2007 to accept the application without the signature of joint inventor Nicolas Delucis. Included with this petition are the following items:

- 1) A declaration of facts from Michael J. Mallie providing proof of pertinent facts concerning the unavailability of inventor Nicolas Delucis to execute the Declaration for filing in the U.S. Patent and Trademark Office.
- 2) An updated combined Declaration and Power of Attorney signed by joint inventors Markus Becker and Peter Gauchel.

The last known name and address of the joint inventor unavailable to execute and otherwise cooperate in the prosecution of the present patent application is:


Nicolas Delucis
Augustastr. 59-61
D-48153 Münster
Germany

On April 21, 2005, Applicant filed a patent application, which required an executed declaration by all the inventors. As supported in the enclosed declaration of facts by Michael J. Mallie, Applicant could not determine Mr. Delucis' current mailing address or contact information, using diligent efforts, in order to send a Declaration and Power of Attorney to be executed.

As noted in the decision, no petition fee is required. If there is a deficiency in fees, please charge our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated: 10/17/07



Michael J. Mallie
Reg. No. 36,591

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DECLARATION

Dear Sir:

I, Michael J. Mallie, having personal knowledge of the facts set forth herein, hereby declare and say as follows:

1. On June 9, 2006, I sent the declaration to GE Counsel to be signed by the inventors. Documentation of this email is attached.
2. On July 13, 2006, in response to the email sent on June 9, 2006, GE counsel sent an email, copying me on the email, with the declaration attached to be signed by the inventors, including Vincent Schellings, Peter Gauchel, Nicolas Delucis, requesting that a copy of the executed declaration be emailed or faxed to GE counsel, and that the original documents be sent to GE Counsel. No response to this email has been received from Nicolas Delucis. Documentation of this email is attached.
3. On July 25, 2006, in response to the email sent on June 9, 2006, GE counsel sent another email, copying me on the email, with the declaration attached to be signed by the inventors, including Nicolas Delucis, Markus Becker, Peter Gauchel, requesting that the inventors read and sign the declaration, and indicating that GE counsel had received the signed declaration from Vincent Shellings. No response to this email has been received from Nicolas Delucis. Documentation of this email is attached.

4. On July 31, 2006, in response to the email sent on July 25, 2006, I received an email from Markus Becker with an attachment of the signed declaration by Markus Becker and Peter Gauchel. Documentation of this email is attached. However, there was no response to this email from Nicolas Delucis.
5. On August 1, 2006, in response to the email received on July 31, GE counsel sent another email to Nicolas Delucis, copying me on the email, with the declaration attached to be signed by Nicolas Delucis, requesting that the inventor sign the declaration and send a copy to GE counsel. On August 7, 2006, in response to the email sent on August 1, 2006, GE counsel sent me an email indicating that they had not received the executed declaration from the inventor Nicolas Delucis. Documentation of this email is attached.
6. On October 2, 2006, I sent an email to GE counsel, requesting the status on whether they had received the executed declaration from the inventor Nicolas Delucis. On October 2, 2006, in response to the email sent on October 2, 2006, I received an email from GE counsel indicating that GE counsel had sent a reminder on August 8, 2006, and had not received a response from him. The email also indicated that he has left GE, and his email was not longer listed on the global email list of GE, and that GE did not have another email address for him. Documentation of these emails is attached.
7. On October 30, 2006, I received an email from GE counsel, indicating that Human Resources of GE provided the current address of the inventor Nicolas Delucis, as follows, and requesting that we send a letter to his address requesting to sign the declaration:

Nicolas Delucis
Augustastr. 59-61
D-48153 Münster

GE Counsel also indicated in the email that it appears there is no other way to reach the inventor Nicolas Delucis. Documentation of this email is attached.
8. On October 30, 2006, in response to the email received from GE counsel on October 30, 2006, I sent a letter to Nicolas Delucis at the following address, enclosing the declaration for his signature. Also enclosed with the letter, was a Federal Express envelope for him to return the signed documents to me.

Nicolas Delucis
Augustastr. 59-61
D-48153 Münster
DE

No response to this delivery has been received. Documentation of this delivery is attached.

9. On November 8, 2006, I received a phone call from Federal Express, indicating that Nicolas Delucis has moved from that address and there is no forwarding information. An email documenting the call from Federal Express was sent to the Patricia Yepez-Rutheny of GE on November 8, 2006. Documentation of this email is attached.
10. On February 2, 2007, in response to learning that Paricia Yepez-Rutheny had been out on maternity leave and unable to help in obtaining the signed documents, I sent an email to Jim McGinness at GE, to obtain the status of the signed declaration from Nicolas Delucis and to verify his address. Documentation of this email is attached.
11. On February 7, 2007, in response to the email I sent on February 2, 2007, I received an email from Sandra GroB-Thedieck of Human Resources, indicating that address on file for Nicolas Delucis is as follows, and indicated that the address is the only address they have on file and that the inventors may have relocated in the meantime:

Nicolas Delucis
Augustastr. 59-61
D-48153 Münster
DE

Documentation of this email is attached.

12. On February 7, 2007, in response to the email received on February 7, 2007, I sent an email to GE counsel, indicating that I had already sent the declaration to Nicolas in November 2006 at the provided address and that Federal Express had informed us that he was no longer residing at this address and that there was no forwarding information. I also indicated in the email that we had sent an email to

Patricia Yopez-Rutheny describing the above actions and that we had not received any response from Patricia. Documentation of this email is attached.

13. On October 2, 2007, I conducted an internet search for "Nicolas Delucis" on <http://www.google.com>, resulting in 126 hits. None of the hits included any updated contact information for Nicolas Delucis. The search can be repeated using the following hyperlink address:
http://www.google.com/search?q=Nicolas+Delucis&num=100&hl=en&lr=&as_qdr=all&start=0&sa=N. Documentation of this internet search is attached.
14. On October 2, 2007, I conducted an internet search for "Nicolas Delucis of France" on <http://www.google.com>, resulting in 29 hits. None of the hits included any updated contact information for Nicolas Delucis. The search can be repeated using the following hyperlink address:
http://www.google.com/search?num=100&hl=en&lr=&client=firefox-a&channel=s&rls=org.mozilla%3Aen-US%3Aofficial&hs=2fO&as_qdr=all&q=Nicolas+Delucis+of+France&btnG=Search. Documentation of this internet search is attached.
15. On October 2, 2007, I conducted an internet search for "Nicolas Delucis" on <http://www.numberway.com>, which includes links to international phone directories. Documentation of this site is attached.
16. On October 2, 2007, I conducted an internet search for "Nicolas Delucis" on Germany Phone Books link, entitled "Das Telefonbuch" at <http://www.dastelefonbuch.de/>, resulting in no entries found for Nicolas Delucis. Documentation of this internet search is attached.
17. On October 2, 2007, I conducted an internet search for Nicolas Delucis on France Phone Books link, Phone Books link, entitled "Pages Blanches" at <http://www.pagesjaunes.fr/trouverunnom/RecherchePagesBlanches.do>, resulting in no entries found for Nicolas Delucis. I conducted a search for Nicolas Delucis for each of the 23 regions. Documentation of these regional searches is attached.
18. On October 2, 2007, I conducted an internet search for "Delucis" on DHL Global Forwarding Address Search at <http://www.dhl.com/publish/g0/en/tools/dropoff.high.html>, resulting in no entries found. The search can be repeated using the following hyperlink address:

<http://www.yellowbook.danzas.com/ybk/search1.jsp>. Documentation of this internet search is attached.

19. On October 5, 2007, I sent a letter to Nicolas Delucis at the address below via Federal Express, requesting the inventor to execute the enclosed declaration for the enclosed patent application. The letter requested that he return the signed documents by October 12, 2007. The letter and enclosed documents were attempted to be delivered on October 8, 2007, and October 9, 2007, each time the delivery failed because it was not the correct address for Nicolas Delucis, and no forwarding address was provided either time. No response to this letter has been received from Nicolas Delucis. Documentation of the letter and enclosed documents, and the FedEx tracking are attached.


Nicolas Delucis
Augustastr. 59-61
D-48153 Münster
DE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on the information and belief are believed to be true; and further that all these statements were made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated: 10/12/07



Michael J. Mallie
Reg. No. 36,591

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(408) 720-8300